

CALIFORNIA STATE SENATE SELECT COMMITTEE ON MANUFACTURED HOMES AND COMMUNITIES

2011-2012 LEGISLATIVE SESSION
Mobilehome Residency Law and related bills

Updated 2012 June 4

BILLS	SUBJECT	HISTORY (most recent action listed first)	NOTES
AB 317 Calderon	Mobilehome: local rent control ordinances Last amended: 2012 May 23 This bill would revise conditions under which a mobilehome tenancy is exempt from local rent control. It would specify the evidence upon which park management may rely to determine residency.	S/Judiciary A/Floor – Passed 44-22 A/Housing – Passed 4-0	Support: Western Manufactured Housing Communities Assoc. (Sponsor) Opposed: Golden State Manufactured Homeowners Assoc. (GSMOL); Western Center on Law & Poverty
AB 448 Ammiano	Property taxation: change in ownership. This bill would have expanded the property tax liability, and penalties, on property transfers, possibly affecting resident-owned mobilehome parks.	Died in Committee	
AB 466 Butler	Common interest developments: assessments. SPOT BILL	Died at Desk	
AB 579 Monning	Mobilehome parks: liability: attorney's fees. This bill would have permitted the award of attorney's fees to a local government entity in an action brought by the owner of a mobilehome park to challenge a local ordinance, such as rent control.	Died in Committee	Sponsor: Golden State Manufactured Homeowners Assoc.
AB 657 Gordon	Corporations: statement of information: Secretary of State. Allows a corporation to receive the annual renewal notice provided by the Secretary of State by email, among other provisions.	Chapter #204 (Statutes of 2011)	Sponsor: CA Sec'y of State

AB 697 Perez	Veteran: acquisition of home: interest of record. Authorizes the Department of Veterans Affairs to acquire a home, including a mobilehome, for the purpose of refinancing an existing mortgage loan, that is not an existing loan acquired under the Veterans' Farm and Home Purchase Act.	Chapter #368 (Statutes of 2011)	
AB 771 Butler	Common interest developments: requests for documents: fees. Requires that the seller of a separate interest in a CID provide copies of minutes of governing board meetings to prospective buyers, when requested, including estimate of actual costs, as specified.	Chapter #206 (Statutes of 2011)	Sponsor: CA Assoc. of Realtors
AB 805 Torres	Common interest developments Last amended: 2012 Jan 4 This bill comprehensively reorganizes and recodifies the Davis-Stirling Act.	S/Judiciary S/Trans & Housing – Passed 9-0 A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Support: CA Law Revision Commission (Sponsor) Opposed:
AB 806 Torres	Common interest developments Last amended: 2012 Jan 4 This bill would make various technical conforming changes to reflect a proposed revision and recodification of the Davis-Stirling Common Interest Development Act.	S/Judiciary S/Trans & Housing – Passed 9-0 A/Floor – Passed 73-0 A/Judiciary – Passed 9-0 A/Housing – Passed 7-0	Sponsor: CA Law Revision Commission (Sponsor) Opposed:
AB 928 Wieckowski	Housing and community development: Mobilehome parks. SPOT BILL	Died at Desk	
AB 1084 Davis	Veterans' farm and home purchases: definitions: home. Expands the definition of a cooperative housing corporation to include a mobilehome in a shared equity cooperative.	Chapter #377 (Statutes of 2011)	Sponsor: CA Assoc. of Veterans Services Agencies
AB 1090 Blumenfield	Taxation: property tax deferment. Among other provisions, allows a county to elect to participate in a deferred property tax program for seniors and disabled homeowners.	Chapter #369 (Statutes of 2011)	

AB 1511 Bradford	Real property: disclosures: transmission pipelines Last amended: 2012 May 14 Would require all contracts for sale of residential property, entered into on/after July 1, 2013, to contain a specified notice pertaining to gas and hazardous liquid transmission guidelines.	S/Judiciary A/Floor – Passed 77-0 A/Judiciary – Passed 10-0	Support: Opposed:
AB 1623 Yamada	Weights and measures: inspection fees Last amended: 2012 May 3 Extends the sunset date, to Jan. 1, 2018, permitting the county board of supervisors to charge fees to recover the costs of the duties of the county sealer. Would provide that the fee for mobilehome parks shall not exceed \$2 per device per space for water submeters, and \$3 per device per space for electric submeters.	S/Business & Prof. A/Floor – Passed 56-16 A/Bus., Prof., - Passed 8-0	<u>Support</u> California Agricultural Commissioners and Sealers Association (sponsor) <u>Opposition</u> Avis/Budget Group; Enterprise Holdings; The Hertz Corporation
AB 1694 Fuentes	Gas pipeline safety inspections Last amended: 2012 Apr 25 Would require that if a mobilehome park property operator demonstrates compliance with the initial CPUC gas pipeline inspection, additional inspections be made at least once every 7 years pursuant to a risk-based inspection schedule adopted by the CPUC.	S/Energy, Util. (Jun 11) A/Floor – Passed 73-0 A/Appropriations – Passed 17-0 A/Util. & Comm. – Passed 14-0	<u>Support</u> California Pipe Trades Council; California Public Utilities Commission (CPUC) (Sponsor); California State Association of Electrical Workers; Coalition of California Utility Employees; Division of Ratepayer Advocates (DRA) (if amended); Western Manufactured Housing Communities Association
AB 1795 Silva	Mobilehomes: rent increases Makes a technical, nonsubstantive change to rent increase notice provisions.		

AB 1797 Torres	Mobilehome Park Purchase Fund Last amended: 2012 Apr 19 Would authorize HCD to lower the lending interest rate if the dept. finds that it is necessary and will not jeopardize the financial stability of the fund. Would authorize the dept. to provide technical assistance to loan applicants, and to include the reasonable costs of that technical assistance as a part of the loan principal.	A/Floor – Passed 51-26 A/Appropriations – Passed 12-5 A/Housing – Passed 5-1	<u>Sponsor</u> Golden State Manufactured Homeowners Assoc. (GSMOL)
AB 1830 V.M.Perez	Water service: mobilehome parks Last amended: 2012 May 25 Would require a mobilehome park owner to provide written notice to residents of their right to file a complaint with the CPUC. Would authorize the CPUC, if it finds, after an investigation, that the mobilehome park has charged an unjust or unreasonable rate in violation of existing law, to order the mobilehome park to reimburse the complainant and any other current and former tenants affected by the rate, as specified, if no discrimination will result from the reimbursement.	A/Appropriations - Suspense A/Util. & Comm. – Passed 12-0	<u>Support</u> California Public Utilities Commission (CPUC) (if amended); California Rural Legal Assistance Foundation (CRLAF); Comite Civico; Consumer Federation of California; Division of Ratepayer Advocates (DRA); Promotores Comunitarios del Desierto; The Utility Reform Network (TURN) <u>Opposition</u> Western Manufactured Housing Communities Association (WMA) (unless amended)
AB 1838 Calderon	Common interest developments: association records Last amended: 2012 May 7 Existing law requires the CID association to provide a specified form that contains an estimate of the costs associated with providing the prospective purchaser with requested documents. This bill would require that the financial disclosure form be printed in at least 10-point type. Would further prohibit a cancellation fee for the requested documents, as specified.	S/Trans & Housing (June 19) A/Floor – Passed 74-1 A/Judiciary – Passed 10-0	

AB 1865 Alejo	Residential tenancies: eviction: notices Last amended: 2012 Apr 18 Would require that unlawful detainer notices, in addition to containing contact information for the county bar association and other legal services organizations that provide service to low-income persons, also contain contact information of any nonprofit bar association within the county that is duly authorized by the State Bar as a lawyer referral provider.	S/Judiciary A/Floor – Passed 72-3 A/Appropriations – Passed 16-0 A/Judiciary – Passed 10-0	<u>Support</u> Conference of California Bar Associations (sponsor); City of Santa Monica; Consumer Attorneys of California; Santa Clara County La Raza Lawyers Association; Watsonville Law Center; Western Center on Law and Poverty
AB 1938 Williams	Mobilehomes: rental agreements Last amended: 2012 May 17 Would require that the rental agreement enable the homeowner to void the rental agreement within 72 hours, as specified. Would also extend provisions restricting the pass-thru of park owner-accrued fees related to code enforcement violations.	S/Judiciary A/Floor – Passed 73-2 A/Judiciary – Passed 10-0 A/Housing – Passed 5-2	Sponsor: Golden State Manufactured Homeowners Assoc. (GSMOL) Opposed:
AB 2150 Atkins	Mobilehome parks: homeowner bill of rights Last amended: 2012 May 15 Would require a rental agreement to include a notice pertaining to residency rights and responsibilities, and would require the mobilehome park management to provide a copy of the notice to all homeowners prior to February 1 of each year.	S/Judiciary A/Floor – Passed 68-2 A/Housing – Passed 6-0	Sponsor: Golden State Manufactured Homeowners Assoc. (GSMOL) Opposed:

<p>AB 2272 Wagner</p>	<p>Mobilehomes: injunctions Last amended: 2012 Apr 19</p> <p>Would permit mobilehome park management, until Jan. 1, 2016, to file a petition, for an order to enjoin park rule violations, within the limited jurisdiction of the superior court located in the judicial district in which the mobilehome park is located.</p>	<p>S/Judiciary A/Floor – Passed 75-0 A/Housing – Passed 6-0 A/Judiciary – Passed 10-0</p>	
<p>AB 2273 Wieckowski</p>	<p>Common interest developments: required documents Last amended: 2012 May 14</p> <p>Notwithstanding specified exceptions: would provide that an acquiring owner of a separate interest shall provide to the association's board a written notice of the acquiring owner's mailing address within 30 days of receiving title; would also require a recorded notice of default be mailed to the association within 15 days of a trustee's sale.</p>	<p>S/Judiciary A/Floor – Passed 50-24 A/Judiciary – Passed 8-1 A/Housing – Passed 7-0</p>	
<p>AB 2522 Williams</p>	<p>Mobilehome parks: rental agreements Last amended: 2012 Mar 29</p> <p>Would prohibit a mobilehome park rental agreement from being made contingent upon the homeowner agreeing to binding arbitration or waiving a right to trial by jury for a dispute between the homeowner and management.</p>	<p>A/Judiciary</p>	

AB 2597 Fuentes	Mobilehome parks: lot lines Last amended: 2012 Mar 29 Would require the management of a mobilehome park, on and after Jan. 1, 2014, to include in the rental agreement a description of the size and location of the lot that is being leased and a copy of the map of the park lot lines indicating the leased space.	A/Housing	
ABx1 29 Blumenfield	State responsibility areas: fire prevention fees. Requires the Board of Forestry and Fire Protection, or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.	Chapter #8 (Statutes of 2011-12, 1 st Ex Sess.)	
SB 110 Rubio	Real property disclosures: mining operations. Enhances the statutory limitation on liability, in re disclosure of natural hazards in property transactions, of notice of nearby mining operations.	Chapter #253 (Statutes of 2011)	Sponsor: CA Construction and Industrial Materials Association
SB 149 Correa	Mobilehomes Last amended: 2012 May 25 Requires the Dept. of Housing & Community Development or a local agency to include in its mobilehome park permit-to-operate invoice a notice of the existence of the Mobilehome Residency Law.	A/Housing (June 13) S/Floor – Passed 31-3 S/Appropriations – 28.8 S/Trans & Housing – Passed 6-0	Support: Western Manufactured Housing Communities Assoc. (WMA) Opposed:
SB 150 Correa	Common interest developments. Exempts new owners of a separate interest in a CID from subleasing prohibitions, under specific circumstances.	Chapter #62 (Statutes of 2011)	Sponsor: CA Association of Realtors
SB 209 Corbett	Common interest developments: electric vehicle charging stations. Voids CID homeowner contracts that prohibit electric vehicle charging stations. Requires homeowner to be responsible for various costs associated with maintaining and repairing the station.	Chapter #121 (Statutes of 2011)	

SB 337 Kehoe	Common interest developments: tenancy: political signs. Prohibits a landlord from prohibiting a tenant from posting or displaying political signs, except under certain circumstances. Also would require a tenant to comply with the time period established by local ordinance for posting and removal of signs or, in the absence of those provisions, by reasonable time limits, as specified, by the landlord.	Chapter #383 (Statutes of 2011)	Sponsor: Amer. Civil Liberties Union
SB 376 Fuller	Real estate brokers <i>Mortgage loan originators</i> Last amended: 2012 May 21 This bill would revise the definition of "real estate broker" to include a person who performs those actions in connection with a chattel mobilehome loan, as specified.		
SB 444 Evans	Land use: subdivisions: rental mobilehome park conversion. In regards to a proposed subdivision of a mobilehome park, this bill would have clarified that a local agency is required to consider the results of a survey of the park's residents in making its decision to approve the proposal.	Failed passage	Sponsors: Counties of Sonoma and Ventura; Golden State Manufactured Homeowners Assoc.
SB 507 DeSaulnier	Property taxation: change in ownership statement. Changes penalties and filing deadlines for homeowners, including manufactured homeowners, when submitting change of ownership statement to the county assessor's office.	Chapter #708 (Statutes of 2011)	Sponsor: CA Assessors Assoc.

SB 561 Corbett	Common interest developments: delinquent assessments Last amended: 2011 April 12 This bill would impose restrictions and prohibitions on any 3rd party acting to collect payments or assessments on behalf of a common interest development association. It would, specifically, prohibit a third party from acting as a trustee in a foreclosure proceeding.	A/Judiciary S/Floor – Passed 25-15 S/Judiciary – Passed 4-1	Support: CA Alliance of Retired Americans (Sponsor); Center for CA HOA Law (Sponsor); AARP; CA Advocates for Nursing Home Reform; Congresswoman Speier; Consumer Attys of CA; Older Women’s League of CA – Sac Chapter; Older Women’s League Opposed: CA Assoc. of Community Mgrs; Community Associations Institute; Exec. Council of Homeowners (ECHO)
SB 562 Cmte on Trans & Housing	Housing omnibus. Among other provisions, increases fees on behalf of the Manufactured Home Recovery Fund.	Chapter #239 (Statutes of 2011)	
SB 563 Cmte on Trans & Housing	Common interest developments: meetings. Permits and sets forth restrictions for common interest development board meeting to be conducted via teleconference.	Chapter #257 (Statutes of 2011)	
SB 616 DeSaulnier	Common interest developments: open meetings Last amended: 2012 Jan 4 Makes clarifying changes to provisions regarding meetings of the board by electronic means.	A/Desk S/Floor – Passed 37-0 S/Trans & Housing – Passed 9-0	
SB 674 Padilla	Telecommunications: master-metering: data security. Provides that utility companies’ energy efficiency rebates, not including other rebates such as CARE, shall be retained by the master-meter customer for reinvestment in energy efficiency programs. Also requires customer consent prior to utilities companies’ giving of customer data to 3 rd party.	Chapter #255 (Statutes of 2011)	

SB 759 Lieu	Common interest developments: artificial turf. Would have provided that a provision of any of the governing documents of a common interest development be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or other synthetic surface that resemble grass. This prohibition would not have prohibited an association from applying design and quality standards rules.	Vetoed	Sponsor: San Diego County Water Authority
SB 880 Corbett	Common interest developments: electric vehicle charging stations. Enhances the provisions of SB 209 (Chap. 121; 2011) by authorizing the CID board to grant exclusive use of a portion of the common area without the affirmative vote of the membership for the purpose of installing and using an electric vehicle charging station, under specific circumstances.	Chapter #6 (Statutes of 2012)	
SB 947 Cmte on Governance and Finance	Property taxation. Among other provisions, includes resident-owned parks in the definition of real property, for the purposes of property taxation, specifically including an interest in a unit or lot within a cooperative housing corporation.	Chapter #351 (Statutes of 2011)	Sponsor: State Board of Equalization
SB 1173 Wyland	Mobilehomes: rent control: government charges Last amended: 2012 Mar 26 Would require a local agency, as described, to permit the management of a mobilehome park, to separately charge a homeowner for a pro rata amount, as specified, of certain fees, assessments, or other charges imposed by governmental entities, on or after Jan. 2, 2013, and any future increases of those fees, assessments, or other charges.	S/Judiciary – Failed 2-3	
SB 1244 Harman	Common interest developments: foreclosure procedures Would authorize the CID association specified actions in regards to public posting of foreclosure notice and notice of postponement or change of location of sale.	S/Judiciary	

SB 1376 Gaines	Sales and use taxes: corporation taxes Last amended: 2012 Apr 16 Would restructure the tax code from the system of taxes imposed on income (current), to the Business Net Receipts Tax Law. If enacted, would affect some ROPs, CIDs and other resident-owned housing corporations.	S/Gov. & Finance	
SB 1421 Correa	Mobilehomes: resident-owned mobilehome parks As amended 2012 Apr 25 Clarifies the protections of Civil Code 799. et seq. as it applies to members of resident owned mobilehome parks. (Clean-up legislation to SB 1047 (Correa; Chap. 17, Stats. 2011))	S/Judiciary	
SBx1 17 Cmte on Budget & Fiscal Review	State responsibility areas: fire prevention fees. Would have required the Board of Forestry and Fire Protection, on or/before Sept. 1, 2011, to adopt emergency regulations to establish a fire prevention fee to be charged on each structure, including mobile and manufactured homes, on a parcel that is within a state fire responsibility area.	Dead	